

S.R. 69 - By Sarpalius: Commending Aaron Alejandro on his outstanding work on behalf of the Future Farmers of America.

S.R. 70 - By Santiesteban: Commending the El Paso Herald-Post on its efforts to promote literacy.

S.R. 72 - By Barrientos: Extending best wishes to Representative Paul Moreno and his partners for great success with their new restaurant, "Off Broadway".

S.R. 73 - By Barrientos: Recognizing and expressing gratitude to those individuals responsible for bringing the MCC Consortium to Texas.

S.R. 74 - By Barrientos: Commending the Building Advisory Council and extending best wishes for a successful Fire Safety Forum meeting.

S.R. 77 - By Barrientos: Extending best wishes to the Limon family for a successful family reunion.

S.R. 79 - By Glasgow: Commending Brother Ralph Starling for his 41 years of service.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 5:51 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

APPENDIX

Signed by Governor
(September 26, 1986)

H.C.R. 10

H.C.R. 11

H.C.R. 12

H.C.R. 13

Sent to Governor
(September 29, 1986)

S.C.R. 4

S.C.R. 19

S.B. 13

S.B. 32

S.B. 44

FOURTEENTH DAY

(Tuesday, September 30, 1986)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Anderson, Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Henderson, Jones, Kothmann, Krier, Leedom, Lyon, McFarland, Mauzy, Montford, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Washington, Whitmire.

Absent-excused: Parker.

A quorum was announced present.

Senator Chet Brooks offered the invocation as follows:

Almighty God, as we enter this day, which hopefully may be the last day of the Special Session, help us to remember all thy guidance and commandments. Help us remember and be tolerant of others in our debate. Help us do the right thing for our people and above all, help us forgive those who trespass against us, particularly in times of stress. Almighty God, be with us and guide us. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Parker was granted leave of absence for today on account of important business on motion of Senator Brooks.

SENATE RESOLUTION 81

Senator Brown offered the following resolution:

S.R. 81, Congratulating the Houston Astros on their 1986 National League West Division Championship.

BROWN
HENDERSON
WHITMIRE
GREEN

The resolution was read and was adopted viva voce vote.

BILLS AND RESOLUTION SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bills and resolution:

S.C.R. 17
S.B. 9
S.B. 43

SENATE RESOLUTION 78

Senator Truan offered the following resolution:

S.R. 78, In memory of Dr. George William McCulley.

The resolution was read and was adopted by a rising vote of the Members of the Senate.

GUESTS PRESENTED

Senator Sims was recognized and introduced the Capitol Physician for the Day, Dr. John Davis of Kerrville.

Dr. Davis, accompanied by his wife and children, John and Elizabeth, was welcomed by the Senate as an expression of their appreciation for his service.

**REMARKS BY PRESIDENT
RELATING TO HISTORY OF SENATE**

The President advised the Senate that Chapter 1 of the History of the Senate, being compiled by the staff of the Senate Enrolling and Engrossing Department, was to be found on the Members' desks.

The President urged the Members to contact the Engrossing and Enrolling staff to relate any anecdotes relating to the Senate of today.

(Senator Traeger in Chair)

BILL SIGNED

The Presiding Officer announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bill:

S.B. 4

(President in Chair)

SENATE RESOLUTION 89

Senator Truan offered the following resolution:

S.R. 89, Honoring Dr. Clotilde P. Garcia of Corpus Christi, beloved physician, distinguished scholar and noteworthy civic leader.

The resolution was read and was adopted viva voce vote.

SENATE RESOLUTION 82

Senator Blake offered the following resolution:

WHEREAS, When he retires at the end of the 69th Legislature, Senator John Traeger will conclude a quarter-century of outstanding service in the Texas Legislature, during which time he has sponsored more than 300 successful bills; and

WHEREAS, As a businessman and well-known radio sportscaster in Seguin, John Traeger began his public service on the Seguin City Council, where he served for six years before his election to the Texas House of Representatives in 1962; and

WHEREAS, In representing his three-county district of Guadalupe, Comal, and Gonzales from 1963 through 1972, he was cited by Governor John Connally as one who represents all the people of Texas as well as those of his constituency; and

WHEREAS, Fellow Members in the Senate respect the diligence and integrity Senator Traeger has brought to the committees to which he has been assigned, and his leadership qualities have been recognized in his service as chairman of the Intergovernmental Relations Committee and as a member of the Legislative Budget Board; and

WHEREAS, His prominence extending beyond the Senate, Senator Traeger served as chairman of the Southern Legislative Conference, was named "Texan of the Year" by the Texas Legislative Conference in 1986, and was a member of the executive committee of the National Conference of State Legislatures; and

WHEREAS, Senator Traeger's 14-year tenure in the Texas Senate has been one of distinction that has been appreciated and acclaimed by his constituents in a district that stretches from neighborhoods in San Antonio's north side through the South Texas brush country to the Mexican border; and

WHEREAS, A retired brigadier general in the Texas National Guard, John Traeger's 34 years of military service included active duty as an artillery officer with Texas's famed 36th Division during World War II as well as service during the Korean conflict; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 69th Legislature, 3rd Called Session, express sincere appreciation to its colleague, Senator John Traeger, for his many years of devoted service to the State of Texas; and, be it further

RESOLVED, That a copy of this Resolution be prepared for him as a memento of his many experiences, accomplishments, and friendships in the Texas Senate with warm best wishes for continued success in the future.

The resolution was read and was adopted viva voce vote.

On motion of Senator Brooks and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

SENATE RESOLUTION 83

Senator Blake offered the following resolution:

WHEREAS, A distinguished career of service to the people of his district and his state that began with the 60th Legislature in 1967 ends with the retirement of Oscar Holcombe Mauzy, Senator from Dallas, at the close of the 69th Legislature; and

WHEREAS, Soon after his arrival in the Senate, Senator Mauzy was acknowledged as a leader of the then large liberal faction in the upper house and has continued to be so regarded through the many changes the years have brought; and

WHEREAS, In the 61st Legislature he gained wide attention by his brilliant maneuvering in opposition to a bill imposing a sales tax on groceries that had been meant to slip through both houses in an unguarded moment; in the same session, his parliamentary skills enabled him to put a surprise amendment on a teacher pay raise bill that gave Texas its first free public kindergartens, and he introduced a measure to regulate campaign finance committees that is now the law; and

WHEREAS, Senator Mauzy from his first days as a legislator has called for reform of the archaic system of school finance, and when a federal court declared the Texas plan unconstitutional, he chaired the Senate Interim Committee on Urban Education which made great contributions to the new order of equalization that now prevails; and

WHEREAS, As chairman of the Senate Committee on Education for five sessions spanning years of crucial development in that traditional field of Senate concern, he concentrated on his most important legislative work; subsequently, as chairman of the Senate Committee on Jurisprudence, his purpose to "modernize, streamline, and totally overhaul the entire judicial branch of government" has been far advanced; and

WHEREAS, Respected by constituents and colleagues alike as a man of principle always open to honorable compromise with those not wholly like minded, his departure leaves the Senate the poorer for his skill and counsel; now, therefore, be it

RESOLVED by the Senate of the State of Texas, 69th Legislature, 3rd Called Session, That Senator Oscar Mauzy be warmly applauded for a long task well done and be extended the best wishes of his fellow Members for continued success in the future; and, be it further

RESOLVED, That a copy of this Resolution be prepared for Senator Mauzy under the Seal of the Senate as a token of respect and esteem.

The resolution was read and was adopted viva voce vote.

On motion of Senator Brooks and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

SENATE RESOLUTION 84

Senator Blake offered the following resolution:

WHEREAS, When the last session of the 69th Legislature adjourns in 1986, Senator John Sharp will look back on nine productive years in the Texas Legislature, more than four of which have been in the Senate; and

WHEREAS, He was elected in 1978 to the House of Representatives, where he served with distinction on the Committee on Constitutional Amendments, the Committee on Local and Consent Calendars, and as Chairman of the Ways and Means Committee for Budget and Oversight; and

WHEREAS, Elected by voters in Senate District 18 to fill an unexpired term, Senator Sharp won reelection for the succeeding term by an impressive margin, as his constituents evidenced enthusiastic approval of his representation of the district; and

WHEREAS, Senator Sharp's legislative knowledge and experience have been utilized in the Senate on its committees on Finance, Intergovernmental Relations, and Health and Human Resources which he served as vice-chairman of the Subcommittee on Health Services; and

WHEREAS, John Sharp began to prepare himself for government service when he served as president of the student body at Texas A&M University during his senior year; he continued his preparation by earning a graduate degree in public administration at Southwest Texas State University; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 69th Legislature, 3rd Called Session, hereby commend Senator John Sharp for his contributions to his district and to Texas during his years in the Texas Legislature; and, be it further

RESOLVED, That a copy of this Resolution be prepared for him as a memento of his service in the Texas Senate with best wishes from his fellow Members for much success in the future.

The resolution was read and was adopted viva voce vote.

On motion of Senator Brooks and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

SENATE RESOLUTION 85

Senator Blake offered the following resolution:

WHEREAS, With the retirement of Senator Glenn Kothmann, the Texas Senate is losing one of its most well known members; and

WHEREAS, As a member of the Texas House of Representatives for five terms and a member of the Senate since 1971, Senator Kothmann has loyally and faithfully addressed the needs of his San Antonio constituency; and

WHEREAS, Known for his patriotism and deeply ingrained love of country, Senator Kothmann capably served in the Texas National Guard as a Brigadier General; and

WHEREAS, A businessman and graduate of Texas A&M University, his keen insights were invaluable to his work as a member of the State Affairs Committee, Intergovernmental Relations Committee, and Natural Resources Committee; and

WHEREAS, Unfailingly kind and courteous, he has earned the affection of his colleagues and Capitol staffers; and

WHEREAS, His hard work and statesmanship have benefitted the entire State of Texas and will be remembered forever; and

WHEREAS, His familiar presence in the Capitol corridors will be sorely missed; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 69th Legislature, 3rd Called Session, hereby commend the long and distinguished career of public service

of Senator Glenn Kothmann with best wishes for continued happiness and success; and, be it further

RESOLVED, That a copy of this Resolution be prepared for him as an expression of esteem, respect, and affection from the Texas Senate.

The resolution was read and was adopted viva voce vote.

On motion of Senator Brooks and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

SENATE RESOLUTION 86

Senator Blake offered the following resolution:

WHEREAS, For the past 17 years, Ed Howard of Texarkana has quietly and unassumingly adopted the mantle of one of the state's most distinguished public servants; and

WHEREAS, His serious yet gentle demeanor belies a passionate commitment to making his beloved state a better place in which to live; and

WHEREAS, Noted for his uncompromising integrity and unswerving dedication to the principles of American democracy, Senator Howard has oftentimes served as the conscience of the Senate and his calm and deliberative manner has eased many fractious debates; and

WHEREAS, A graduate of Abilene Christian University and Southern Methodist University, he served his East Texas constituency loyally and faithfully for three terms in the House of Representatives before being elected to the Senate in 1978; and

WHEREAS, Conscientious and diligent, Senator Howard will be remembered for his outstanding work as chairman of the Nominations Committee and Sunset Advisory Committee; he can point with pride to his strengthening of interstate compacts between Texas and neighboring states as a member of the Interstate Oil Compact Commission and the Southern Regional Education Board; and

WHEREAS, A faithful member of the Church of Christ, he lives the gospel every day in both word and action; and

WHEREAS, Throughout his public service, he has been strengthened by the love and support of his gracious wife, Jo Ann, and children, Eric, Jay, Lee, and Kathryn; and

WHEREAS, His impressive service as a member of the Texas Legislature will be forever remembered with gratitude by all those who benefitted from his care and concern; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 69th Legislature, 3rd Called Session, hereby commend a faithful friend and colleague, Senator Ed Howard, for his outstanding service to the State of Texas with best wishes for continued happiness and prosperity; and, be it further

RESOLVED, That a copy of this Resolution be prepared for him as an expression of highest esteem, respect, and affection from the Texas Senate.

The resolution was read and was adopted viva voce vote.

On motion of Senator Brooks and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

SENATE RESOLUTION 71

Senator Jones offered the following resolution:

S.R. 71, Enabling consideration of and action on certain specific matters contained in the Conference Committee Report on S.B. 1.

The resolution was read.

On motion of Senator Jones and by unanimous consent, the resolution was considered immediately and was adopted viva voce vote.

SENATE RULE 74a SUSPENDED

On motion of Senator Farabee and by unanimous consent, Senate Rule 74a was suspended as it relates to the House amendment to S.B. 5.

SENATE BILL 5 WITH HOUSE AMENDMENT

Senator Farabee called S.B. 5 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.
Floor Amendment - Schlueter

Substitute the following for S.B. 5:

A BILL TO BE ENTITLED AN ACT

relating to the issuance and payment of tax and revenue anticipation notes of the State of Texas and the use of the proceeds.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 3, Treasury Act (Article 4393-1, Vernon's Texas Civil Statutes), is amended by adding Section 3.043 to read as follows:

Sec. 3.043. MANAGEMENT OF TEMPORARY CASH SHORTFALLS IN GENERAL REVENUE FUND. (a) It is the purpose of this section to enhance the state's ability to make timely payments of its General Revenue Fund obligations.

(b) In this section:

(1) "Committee" means the cash management committee.

(2) "Temporary cash shortfall" means the cumulative cash flow deficit at any time during a period within a fiscal year in which the cash balance of taxes and revenues in the General Revenue Fund, as projected by the treasurer, is insufficient to honor the authorized expenditures from that fund during that period and to establish an amount reasonably required as a cash balance in the General Revenue Fund.

(3) "Tax and revenue anticipation notes" and "notes" mean notes issued under this section. The terms include any obligations under agreements entered into by the treasurer in connection with the issuance of the notes.

(c) The cash management committee is established.

(1) The cash management committee is composed of the governor, lieutenant governor, speaker of the house of representatives, comptroller, and treasurer.

(2) The lieutenant governor and the speaker of the house of representatives are ex officio, nonvoting members of the committee.

(d) In anticipation of a temporary cash shortfall in the General Revenue Fund during any fiscal year, the treasurer, subject to Subsection (e) of this section, may issue, sell, and deliver tax and revenue anticipation notes on behalf of the state. The sum of (1) the total amount of the notes outstanding and (2) the total outstanding liability of the General Revenue Fund under Article 4344c, Revised Statutes, may not at any time exceed 20 percent of the taxes and revenues to be credited to the General Revenue Fund for the fiscal year as determined by the treasurer, based on the certification made by the comptroller in the enactment of the General Appropriations Act applicable to that fiscal year. Tax and revenue anticipation notes are not debts of the state within the meaning of any state constitutional prohibition. The notes may be used solely to coordinate the state's cash flow within each fiscal year. All notes must mature and be paid in full during the fiscal year in which they were issued. The notes must be signed by the governor. The interest rate

on the notes must be set so that the amount equal to the total amount of interest to be paid on the notes plus the costs of issuance of the notes does not exceed the amount of interest that would be paid on the notes if the interest rate on the notes were one percent less than the average interest yield being earned on funds invested by the treasurer as of the date of the notes' issuance, as computed by the treasurer.

(e) Before issuing notes the treasurer shall submit to the committee a general revenue cash flow shortfall forecast, based on the comptroller's most recent anticipated revenue estimate. The forecast must contain a detailed report of estimated revenues and expenditures for each month and each major revenue and expenditure category and must demonstrate the maximum general revenue cash flow shortfall that may be predicted. Based on the forecast the committee may approve the amount of notes that may be issued and determine whether the notes shall be sold on a negotiated or competitive bid basis. If the committee determines that competitive bids are appropriate, the underwriter of any notes issued under this section shall be selected by the solicitation of sealed bids and an appropriate bid notice shall be published at least one time in one or more recognized financial publications of general circulation published within the state and one or more recognized financial publications of general circulation published outside the state. Unless all bids are rejected, the underwriter shall be selected from the bids received. The committee shall not approve the issuance of notes in excess of the amount reasonably necessary to meet the temporary cash shortfall. The treasurer may not issue notes in excess of the amount approved or sell the notes in a manner not approved.

(f) The treasurer, consistent with the committee's determinations under Subsection (e) of this section, shall authorize the issuance, sale, and delivery of the notes by order. The proceeds of the notes shall be deposited in a special fund in the treasury called the tax and revenue anticipation note fund. The treasurer may pay the costs of issuance of the notes from the fund and, with notice to the comptroller, from time to time shall transfer the net proceeds to the General Revenue Fund to honor authorized expenditures from the General Revenue Fund. The treasurer may invest any funds held in the tax and revenue anticipation note fund in the authorized investments described in Section 2.014, Treasury Act (Article 4393-1, Vernon's Texas Civil Statutes), until used in accordance with this section.

(g) In connection with the issuance of the notes, the treasurer may exercise the powers granted to the governing body of an issuer in connection with the issuance of obligations under Chapter 656, Acts of the 68th Legislature, Regular Session, 1983 (Article 717q, Vernon's Texas Civil Statutes), to the extent not inconsistent with this section.

(h) Cash received from the collection of taxes and revenues credited to the General Revenue Fund during the fiscal year in which the notes are issued is available to restore the balance of the tax and revenue anticipation note fund. The treasurer, with notice to the comptroller, periodically shall transfer the cash to the fund to ensure the timely payment in full of the notes. Transfers to the tax and revenue anticipation note fund under this subsection may not exceed the amount that has been transferred from that fund to the General Revenue Fund and has not been restored to the tax and revenue anticipation note fund. The comptroller shall transfer surplus cash into the General Revenue Fund under Section 1, Article 4344c, Revised Statutes, as is necessary to complete the transfers required by this subsection. Notwithstanding any other provision of law, depository interest in the tax and revenue anticipation note fund shall be credited to that fund. Depository interest shall be calculated and credited to the fund monthly as if transfers to the General Revenue Fund had not been made.

(i) On payment in full of all outstanding notes and all costs of issuance of the notes, the treasurer, with notice to the comptroller, shall transfer to the General

Revenue Fund any amounts remaining in the tax and revenue anticipation note fund. To the extent that the amounts credited to the tax and revenue anticipation note fund are insufficient to pay the principal, premium, if any, and interest on the notes when due and any issuance costs related to the notes, amounts in the General Revenue Fund are available for appropriation by the legislature to make those payments. Amounts in the tax and revenue anticipation note fund are available for appropriation by the legislature to carry out the purposes of this section.

(j) Amounts in the tax and revenue anticipation note fund may be pledged to secure payment of the notes and performance of the other obligations relating to the notes. The treasurer may make covenants to carry out the purposes of this section and take other actions necessary, desirable, or appropriate to complete the issuance of the notes. The state pledges to and agrees with the holders of any notes that the state will not limit or alter the rights vested in the treasurer to fulfill the terms of any agreements made with the holders, or in any way impair the rights and remedies of the holders, until the notes are fully discharged.

(k) Payment of the notes and performance of official duties prescribed by the state constitution and by this section may be enforced in the state supreme court by mandamus or other appropriate proceeding.

(l) The treasurer is an authorized issuer under the Bond Procedures Act of 1981 (Article 717k-6, Vernon's Texas Civil Statutes), and the procedures, terms, and provisions of that Act apply to the tax and revenue anticipation notes authorized in this section. The notes are subject to review and approval by the attorney general in the same manner and with the same effect as is provided by Chapter 656, Acts of the 68th Legislature, Regular Session, 1983 (Article 717q, Vernon's Texas Civil Statutes).

(m) This section expires September 1, 1989. Money in the tax and revenue anticipation note fund on that date shall be transferred to the General Revenue Fund.

SECTION 2. For the fiscal year ending August 31, 1987, all money deposited in the tax and revenue anticipation note fund is appropriated to the treasury department for the purposes of paying:

- (1) principal of and premium, if any, and interest on tax and revenue notes issued during that fiscal year; and
- (2) costs of issuance relating to those notes.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read.

Senator Farabee moved to concur in the House amendment.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Parker.

SENATE RULE 74a SUSPENDED

On motion of Senator Montford and by unanimous consent, Senate Rule 74a was suspended as it relates to the House amendment to S.B. 29.

SENATE BILL 29 WITH HOUSE AMENDMENT

Senator Montford called S.B. 29 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Amendment - R. Lewis

Substitute the following for S.B. 29:

**A BILL TO BE ENTITLED
AN ACT**

relating to tax credits allowed on the sale of certain mixtures of gasoline and alcohol; amending Subsection (d), Section 153.123, Tax Code, as amended.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 153.123(d), Tax Code, is amended to read as follows:

(d) A distributor may claim a credit on the first sale or use of the gasoline and alcohol mixture described in Subsection (e) of this section or on the gasoline used for mixing with ethyl alcohol if the mixture meets the specifications described in Subsection (e) of this section, in the amount per gallon specified in Subsections (a) and (b) of this section. The distributor may take the credit on his monthly Texas gasoline distribution report. ~~[The comptroller shall, on or before the 25th day of the last month of each quarter of the fiscal year, transfer the total amount of credits allowed the previous quarter from the general revenue fund to the funds to which the credits would have been allocated if they had been originally collected as tax and allocated under Section 153.503 of this code.]~~ If a claim is based on gasoline used for mixing with ethyl alcohol, the comptroller may require the person making the claim to include in the claim the total number of gallons of ethyl alcohol produced or purchased and not thereafter resold or distributed as ethyl alcohol and any other information deemed necessary. The forms to be used, the procedure for filing, and the time within which a claim for credit must be instituted are the same as those set forth for claims for refund of taxes provided in Sections 153.120 and 153.121 of this code, with any modifications that the comptroller determines to be appropriate to accomplish the purposes of this section.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read.

Senator Montford moved to concur in the House amendment.

Senator Sarpalius moved that the Senate do not concur in the House amendment, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion to not concur failed by the following vote: Yeas 12, Nays 17.

Yeas: Anderson, Blake, Brooks, Brown, Edwards, Glasgow, Leedom, Lyon, Mauzy, Sarpalius, Washington, Whitmire.

Nays: Barrientos, Caperton, Farabee, Green, Harris, Henderson, Jones, Kothmann, Krier, McFarland, Montford, Parmer, Sharp, Sims, Traeger, Truan, Uribe.

Absent: Santiesteban.

Absent-excused: Parker.

Question recurring on the motion to concur in the House amendment, the motion prevailed by the following vote: Yeas 27, Nays 2.

Yeas: Anderson, Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Henderson, Jones, Kothmann, Krier, Leedom,

McFarland, Mauzy, Montford, Parmer, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Whitmire.

Nays: Lyon, Washington.

Absent: Santiesteban.

Absent-excused: Parker.

SENATE RESOLUTION 90

Senator Glasgow offered the following resolution:

S.R. 90, Recognizing the self-sacrifice and courage of the early Texas heroes.

The resolution was read.

On motion of Senator Glasgow and by unanimous consent, the resolution was temporarily withdrawn from consideration.

SESSION TO CONSIDER EXECUTIVE APPOINTMENTS

The President announced the time had arrived to consider the Executive appointments to agencies, boards and commissions. Notice of submission of these names for consideration was given yesterday by Senator Edwards.

Senator Edwards moved confirmation of the nominees reported yesterday by the Committee on Nominations.

The President asked if there were requests to sever nominees.

There were no requests offered.

NOMINEES CONFIRMED

The following nominees as reported by the Committee on Nominations were confirmed by the following vote: Yeas 30, Nays 0.

Absent-excused: Parker.

Member, Texas Diabetes Council: LINDA RUSSELL, Dallas County.

Member, Texas Optometry Board: TERRY BROWN, PH.D., Dallas County.

Member, Radiation Advisory Board: JACK STEWART KROHMER, PH.D., Williamson County.

Member, Pilot Commission for the Sabine Bar, Pass and Tributaries: LANNY CLYDE HAYNES, Orange County.

Member, Board of Directors, Texas World Trade Development Authority: CHARLES E. SELECMAN, Travis County.

Justice, 5th Court of Appeals: LARRY MITCHELL, Dallas County.

Judge, 340th Judicial District, Tom Green County: RANDOL L. STOUT, Tom Green County.

Judge, 110th Judicial District, Briscoe, Dickens, Floyd and Motley Counties: DAVID C. CAVE, Dickens County.

COMMITTEE SUBSTITUTE HOUSE BILL 82 ON SECOND READING

Senator Farabee moved to suspend the regular order of business to take up for consideration at this time:

C.S.H.B. 82, Relating to the examination, approval, and registration of certain bonds and proceedings.

The motion prevailed by the following vote: Yeas 26, Nays 3.

Yeas: Anderson, Barrientos, Blake, Brooks, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Jones, Kothmann, Leedom, Lyon, McFarland, Mauzy, Montford, Parmer, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Washington, Whitmire.

Nays: Brown, Henderson, Krier.

Absent: Santiesteban.

Absent-excused: Parker.

The bill was read second time and was passed to third reading viva voce vote.

RECORD OF VOTES

Senators Krier and Montford asked to be recorded as voting "Nay" on the passage of the bill to third reading.

(Senator Henderson in Chair)

COMMITTEE SUBSTITUTE HOUSE BILL 82 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.H.B. 82 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 3.

Yeas: Anderson, Barrientos, Blake, Brooks, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Henderson, Jones, Kothmann, Leedom, Lyon, McFarland, Mauzy, Montford, Parmer, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Whitmire.

Nays: Brown, Krier, Washington.

Absent: Santiesteban.

Absent-excused: Parker.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 3.

Yeas: Anderson, Barrientos, Blake, Brooks, Caperton, Edwards, Farabee, Glasgow, Green, Jones, Kothmann, Leedom, Lyon, McFarland, Mauzy, Parmer, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Washington, Whitmire.

Nays: Henderson, Krier, Montford.

Absent: Brown, Harris, Santiesteban.

Absent-excused: Parker.

HOUSE BILL 78 ON SECOND READING

On motion of Senator Caperton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 78, Relating to the salary of certain Texas Department of Corrections employees.

The bill was read second time.

Senator Caperton offered the following amendment to the bill:

Amend **H.B. 78** as follows: On line 14, between "position" and "before", insert "after August 31, 1986 and".

The amendment was read and was adopted viva voce vote.

On motion of Senator Caperton and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading viva voce vote.

HOUSE BILL 78 ON THIRD READING

Senator Caperton moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 78** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Parker.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Parker.

HOUSE BILL 63 ON SECOND READING

Senator Caperton moved to suspend the regular order of business to take up for consideration at this time:

H.B. 63, Relating to the venue of suits in which the University Interscholastic League is a defendant or the interpretation of its rules or regulations is an issue.

The motion prevailed by the following vote: Yeas 22, Nays 8.

Yeas: Barrientos, Blake, Caperton, Farabee, Green, Harris, Henderson, Jones, Kothmann, Krier, Leedom, McFarland, Montford, Parmer, Santiesteban, Sharp, Sims, Traeger, Truan, Uribe, Washington, Whitmire.

Nays: Anderson, Brooks, Brown, Edwards, Glasgow, Lyon, Mauzy, Sarpalius.

Absent-excused: Parker.

The bill was read second time and was passed to third reading viva voce vote.

RECORD OF VOTES

Senators Brooks, Lyon, Mauzy and Montford asked to be recorded as voting "Nay" on the passage of the bill to third reading.

MOTION TO PLACE HOUSE BILL 63 ON THIRD READING

Senator Caperton moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 63** be placed on its third reading and final passage.

The motion was lost by the following vote: Yeas 23, Nays 7. (Not receiving four-fifths vote of the Members present)

Yeas: Barrientos, Blake, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Henderson, Jones, Kothmann, Krier, Leedom, McFarland, Montford, Parmer, Santiesteban, Sharp, Sims, Traeger, Truan, Uribe, Whitmire.

Nays: Anderson, Brooks, Brown, Lyon, Mauzy, Sarpalius, Washington.

Absent-excused: Parker.

**VOTE RECONSIDERED ON FAILURE TO SUSPEND
THREE-DAY RULE ON HOUSE BILL 63**

On motion of Senator Brown, the vote by which the Senate failed to suspend the Three-Day Rule to further consider **H.B. 63** was reconsidered by the following vote: Yeas 24, Nays 6.

Yeas: Barrientos, Blake, Brown, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Henderson, Jones, Kothmann, Krier, Leedom, McFarland, Montford, Parmer, Santiesteban, Sharp, Sims, Traeger, Truan, Uribe, Whitmire.

Nays: Anderson, Brooks, Lyon, Mauzy, Sarpalius, Washington.

Absent-excused: Parker.

Question — Shall the Three-Day Rule be suspended?

HOUSE BILL 63 ON THIRD READING

Senator Caperton moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 63** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 6.

Yeas: Barrientos, Blake, Brown, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Henderson, Jones, Kothmann, Krier, Leedom, McFarland, Montford, Parmer, Santiesteban, Sharp, Sims, Traeger, Truan, Uribe, Whitmire.

Nays: Anderson, Brooks, Lyon, Mauzy, Sarpalius, Washington.

Absent-excused: Parker.

The bill was read third time and was passed by the following vote: Yeas 22, Nays 8.

Yeas: Barrientos, Caperton, Edwards, Farabee, Green, Harris, Henderson, Jones, Kothmann, Krier, Leedom, McFarland, Montford, Parmer, Santiesteban, Sharp, Sims, Traeger, Truan, Uribe, Washington, Whitmire.

Nays: Anderson, Blake, Brooks, Brown, Glasgow, Lyon, Mauzy, Sarpalius.

Absent-excused: Parker.

HOUSE BILL 38 ON SECOND READING

On motion of Senator Caperton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 38, Relating to retirement eligibility and benefits for certain members of the Teacher Retirement System of Texas.

The bill was read second time and was passed to third reading viva voce vote.

HOUSE BILL 38 ON THIRD READING

Senator Caperton moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 38** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Parker.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Parker.

HOUSE BILL 41 ON SECOND READING

On motion of Senator Blake and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 41, Relating to the collection of money due to the Texas 1986 Sesquicentennial Commission.

The bill was read second time and was passed to third reading viva voce vote.

HOUSE BILL 41 ON THIRD READING

Senator Blake moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 41** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Parker.

The bill was read third time and was passed viva voce vote.

HOUSE BILL 43 ON SECOND READING

On motion of Senator Blake and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 43, Relating to the sale of Texas souvenirs.

The bill was read second time and was passed to third reading viva voce vote.

HOUSE BILL 43 ON THIRD READING

Senator Blake moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 43** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Parker.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Parker.

HOUSE BILL 81 ON SECOND READING

On motion of Senator Glasgow and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 81, Relating to the national maximum speed limits.

The bill was read second time and was passed to third reading viva voce vote.

HOUSE BILL 81 ON THIRD READING

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 81 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

Yeas: Anderson, Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Henderson, Jones, Kothmann, Krier, Leedom, McFarland, Mauzy, Montford, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Whitmire.

Nays: Lyon, Washington.

Absent-excused: Parker.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1.

Nays: Lyon.

Absent-excused: Parker.

HOUSE BILL 46 ON SECOND READING

Senator Green moved to suspend the regular order of business to take up for consideration at this time:

H.B. 46, Relating to the powers of water supply corporations and the authority of cities, counties, and other political subdivisions to contract with water supply corporations.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Nays: Truan.

Absent: Glasgow, Parmer.

Absent-excused: Parker.

The bill was read second time and was passed to third reading viva voce vote.

RECORD OF VOTE

Senator Truan asked to be recorded as voting "Nay" on the passage of the bill to third reading.

HOUSE BILL 46 ON THIRD READING

Senator Green moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 46 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 2.

Yeas: Anderson, Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Green, Harris, Henderson, Jones, Kothmann, Krier, Leedom, Lyon, Mauzy, McFarland, Montford, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Uribe, Whitmire.

Nays: Truan, Washington.

Absent: Glasgow, Parmer.

Absent-excused: Parker.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 1.

Nays: Truan.

Absent: Glasgow, Parmer.

Absent-excused: Parker.

HOUSE CONCURRENT RESOLUTION 14 ON SECOND READING

On motion of Senator Green and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading:

H.C.R. 14, Granting John D. Little permission to sue the State of Texas and East Texas State University.

The resolution was read second time and was adopted viva voce vote.

HOUSE BILL 67 ON SECOND READING

On motion of Senator Sarpalius and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 67, Relating to the issuance and sale of certain bonds to finance the farm and ranch finance program fund.

The bill was read second time and was passed to third reading viva voce vote.

HOUSE BILL 67 ON THIRD READING

Senator Sarpalius moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 67** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Parker.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Parker.

HOUSE BILL 3 ON SECOND READING

On motion of Senator Montford and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 3, Relating to appropriations from the state highway fund.

The bill was read second time and was passed to third reading viva voce vote.

HOUSE BILL 3 ON THIRD READING

Senator Montford moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 3** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Parker.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Parker.

HOUSE CONCURRENT RESOLUTION 2 ON SECOND READING

On motion of Senator Mauzy and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading:

H.C.R. 2, Authorizing the flying of the official POW/MIA flag on the Capitol grounds starting October 15, 1986.

The resolution was read second time and was adopted viva voce vote.

(President in Chair)

MESSAGE FROM THE HOUSE

House Chamber
September 30, 1986

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 33, Honoring STAND and its president, John Lucas.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

MOTION TO PLACE

COMMITTEE SUBSTITUTE HOUSE BILL 4 ON SECOND READING

Senator Henderson moved to suspend the regular order of business to take up for consideration at this time:

C.S.H.B. 4, Relating to the purchase of electricity for state-owned buildings located in the city of Austin, Travis County, Texas.

On motion of Senator Henderson and by unanimous consent, the motion to suspend the regular order was withdrawn.

HOUSE CONCURRENT RESOLUTION 33

The President laid before the Senate the following resolution:

H.C.R. 33, Honoring Students Taking Action Not Drugs (STAND) and its President, John Lucas.

WASHINGTON
BROOKS

The resolution was read.

On motion of Senator Washington and by unanimous consent, the resolution was considered immediately and was adopted viva voce vote.

GUEST PRESENTED

Senator Washington was recognized and introduced Mr. Lucas to the Senate.

The Senate welcomed Mr. Lucas as their guest for the day and expressed their appreciation for his constant efforts for the participants of STAND.

BILL AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bill and resolutions:

H.B. 59
H.C.R. 27
H.C.R. 29
H.C.R. 30

**INTERGOVERNMENTAL RELATIONS COMMITTEE
GRANTED PERMISSION TO MEET**

On motion of Senator Traeger and by unanimous consent, all necessary rules were suspended in order that the Intergovernmental Relations Committee be granted permission to meet upon receipt of a bill from the House and referral of that bill to that Committee.

HOUSE BILL 79 ON SECOND READING

Senator Jones moved to suspend the regular order of business to take up for consideration at this time:

H.B. 79, Relating to raising revenue to support state and local government and to the imposition, application, rates, collection, administration, and civil and criminal enforcement of, and the allocation, limitation, and use of revenue from, various state and state-authorized taxes; providing for the creation and functions of transportation departments in certain cities, for the determination of property tax rates, and for the creation and payment of certain bonded indebtedness; providing penalties.

The motion prevailed by the following vote: Yeas 27, Nays 3.

Yeas: Anderson, Barrientos, Blake, Brooks, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Jones, Kothmann, Krier, Lyon, McFarland, Mauzy, Montford, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Washington, Whitmire.

Nays: Brown, Henderson, Leedom.

Absent-excused: Parker.

The bill was read second time.

Senator Green offered the following amendment to the bill:

Amend **H.B. 79** by adding the following section to be numbered appropriately and by renumbering the other sections appropriately:

SECTION _____ (a) Notwithstanding the rate provided by Subsection (A), Section 11B, Chapter 141, Acts of the 63rd Legislature, Regular Session, 1963 (Article 1118x, Vernon's Texas Civil Statutes), the rate for the sales and use taxes imposed by an authority that imposes a sales and use tax under that chapter and the principal city of which has a population of 1.5 million or more is .5 percent of the receipts from the sale of taxable items subject to the tax and the same rate applied to the sale price of taxable items used, stored, or otherwise consumed in the

authority and subject to the tax. This subsection expires on September 1, 1987. During the period that the rate provided by this section is in effect the rate adopted by the authority under Chapter 141, Acts of the 63rd Legislature, Regular Session, 1963 (Article 1118x, Vernon's Texas Civil Statutes), is suspended.

(b) On the date that Subsection (a) of this section expires, the rate of the tax as adopted by an authority, the rate of which is reduced by Subsection (a) of this section, becomes effective.

(c) This section takes effect on the first day of the first calendar quarter that begins on or after the earliest date on which another provision of this Act takes effect. This section expires on the day following the day Subsection (a) of this section expires.

The amendment was read.

On motion of Senator Green and by unanimous consent, the amendment was withdrawn.

Question — Shall the bill be passed to third reading?

MESSAGE FROM THE HOUSE

House Chamber
September 30, 1986

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

The House has granted the request of the Senate for the appointment of a Conference Committee on S.B. 6. House Conferees: Rudd, Chairman; Hollowell, Cavazos, Hinojosa, Vowell.

The House has adopted Conference Committee Report on S.B. 6 by a non-record vote.

S.C.R. 9, Granting permission for David Wayne Williams to sue the State of Texas.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

CONFERENCE COMMITTEE REPORT SENATE BILL 6

Senator Jones submitted the following Conference Committee Report:

Austin, Texas
September 30, 1986

Honorable William P. Hobby
President of the Senate

Honorable Gibson D. "Gib" Lewis
Speaker of the House of Representatives

Sir:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S.B. 6 have met and had the same

under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

JONES
BROOKS
CAPERTON
McFARLAND
MONTFORD

On the part of the Senate

RUDD
HOLLOWELL
CAVAZOS
HINOJOSA
VOWELL

On the part of the House

**A BILL TO BE ENTITLED
AN ACT**

relating to the transfer of certain amounts from special funds to the general revenue fund.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The amounts transferred from the special funds named in this Act to the general revenue fund may be appropriated for the operation of state government, and this Act supersedes any law restricting the expenditure of those funds to a particular purpose.

SECTION 2. The following amounts are transferred to the general revenue fund:

- (1) \$1,915,990 from the public accountancy fund (fund #470);
- (2) \$337,348 from the produce recovery fund (fund #974);
- (3) \$87,597 from the landscape architects fund (fund #069);
- (4) \$461,742 from the architects registration fund (fund #109);
- (5) \$117,998 from the State Board of Barber Examiners fund (fund #040);
- (6) \$184,500 from the credit union department expense fund (fund #510);
- (7) \$430,833 from the dental registration fund (fund #086);
- (8) \$629,591 from the professional engineers' fund (fund #056);
- (9) \$365,720 from the prepaid funeral account fund (fund #076);
- (10) \$492,000 from the banking department expense fund (fund #508);
- (11) \$37,726 from the consumer credit commissioner expense fund (fund #509);
- (12) \$860,529 from the savings and loan department expense fund (fund #511);
- (13) \$1,114,817 from the criminal justice planning fund (fund #421);
- (14) \$16,500 from the traffic safety fund (fund #029);
- (15) \$633,102 from the Texas highway beautification fund (fund #071);
- (16) \$6,767,442 from the public transportation fund (fund #451);
- (17) \$346,497 from the compensation to victims of crime fund (fund #469);
- (18) \$5,768,089 from the State Board of Insurance operating fund (fund #036);
- (19) \$253,771 from the Texas Board of Irrigators fund (fund #468);
- (20) \$2,072,179 from the medical registration fund (fund #055);
- (21) \$816,149 from the Board of Vocational Nurse Examiners fund (fund #266);
- (22) \$95,221 from the Texas Board of Licensure for Nursing Home Administrators fund (fund #137);
- (23) \$73,800 from the optometry fund (fund #034);
- (24) \$1,447,363 from the game, fish, and water safety fund (fund #009);
- (25) \$667,865 from the Texas State Board of Pharmacy operating fund (fund #523);
- (26) \$25,919 from the podiatry examiners fund (fund #130);
- (27) \$95,120 from the psychologists licensing fund (fund #024);
- (28) \$61,521 from the state building construction planning fund (fund #012);

- (29) \$79,593 from the state parking fund (fund #125);
- (30) \$172,216 from the land reclamation fund (fund #454);
- (31) \$2,428,364 from the state well plugging fund (fund #503);
- (32) \$201 from the compressed natural gas examination fund (fund #504);
- (33) \$2,709,993 from the motor vehicle inspection fund (fund #274);
- (34) \$236,980 from the assessors registration fund (fund #160);
- (35) \$124,087 from the water well drillers fund (fund #079);
- (36) \$82,747 from the vital statistics fund (fund #019);
- (37) \$110,129 from the hospital licensing fees fund (fund #129);
- (38) \$82,052 from the professional counselors licensing fund (fund #139);
- (39) \$6,574 from the Licensed Dietician Act fund (fund #498);
- (40) \$130,982 from the bureau of emergency management fund (fund #512);
- (41) \$177,930 from the speech language pathology and audiology fund (fund #515)
- (42) \$7,004 from the food, drug, device, and cosmetic salvage fund (fund #517);
- (43) \$115,421 from the Texas Department of Public Health services fee fund (fund #524);
- (44) \$51,206 from the ambulatory surgical center licensing fund (fund #546);
- (45) \$13,337 from the birthing center licensing fund (fund #547);
- (46) \$20,374 from the facility licensing fund (fund #548);
- (47) \$274,618 from the social workers fund (fund #143); and
- (48) \$116,279 from the occupation therapy fund (fund #496).

SECTION 3. (a) The comptroller of public accounts shall make the transfers prescribed by this Act from funds in the state treasury in the manner that is least disruptive to the state agencies affected by the transfers. The comptroller, with the advice of the affected agencies, may make a series of transfers in order to complete a transfer of an amount required by Section 2 of this Act and may determine the timing, frequency, and amount of serial transfers from each fund. The transfers must be completed before September 1, 1987.

(b) Beginning on the effective date of this Act, the president of the Texas State Board of Pharmacy shall deposit from the board's funds outside the state treasury with the state treasurer the amount transferred by Section 2(25) of this Act. The board shall make the deposits in the manner that is the least disruptive to the board and may make a series of deposits, subject to the approval of the comptroller as to the timing, frequency, and amount. The deposits must be completed before September 1, 1987. The state treasurer shall deposit those funds in the state treasury to the credit of the general revenue fund.

SECTION 4. This Act supersedes any provision in Section 99, Article V, S.B. 1, Acts of the 69th Legislature, 3rd Called Session, 1986 (the General Appropriations Act for Fiscal Year 1987) for the transfer of amounts to the general revenue fund from any fund from which a transfer is prescribed by this Act.

SECTION 5. This Act expires September 1, 1987.

SECTION 6. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was filed with the Secretary of the Senate.

SENATE RULE 96(h) SUSPENDED

On motion of Senator Jones and by unanimous consent, Senate Rule 96(h) was suspended as it relates to the Conference Committee Report on S.B. 6.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 6 ADOPTED**

On motion of Senator Jones, the Conference Committee Report was adopted by the following vote: Yeas 29, Nays 1.

Nays: Glasgow.

Absent-excused: Parker.

HOUSE BILL 79 ON SECOND READING

The Senate resumed consideration of H.B. 79 on its second reading and passage to third reading.

Question — Shall the bill be passed to third reading?

On motion of Senator Jones, H.B. 79 was passed to third reading viva voce vote.

RECORD OF VOTES

Senators Leedom, Mauzy and Sharp asked to be recorded as voting "Nay" on the passage of the bill to third reading.

SENATE CONCURRENT RESOLUTION 12 ON SECOND READING

On motion of Senator Barrientos and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading:

S.C.R. 12, Establishing the interim committee of Task Force on State Electricity Purchase to study the State's options regarding purchase or self-generation of electricity for State-owned office buildings in Austin.

The resolution was read second time.

Senator Barrientos offered the following amendment to the resolution:

Amend **S.C.R. 12** by striking all of the text below the heading and substituting the following:

WHEREAS, The State of Texas currently spends over \$3.5 million annually on electricity for state-owned office buildings located in the city of Austin, Travis County; and

WHEREAS, Given its budgetary deficit, the state has a responsibility to taxpayers to cut government costs wherever possible and thus to consider reasonable means to lower state utility bills; and

WHEREAS, Legislative measures introduced during the 2nd and 3rd called sessions of the 69th Legislature would have provided means to lower utility payments to the city of Austin by the State of Texas; and

WHEREAS, This issue of electric and utility costs has long-term and far-reaching implications for state government spending; now, therefore, be it

RESOLVED, That the 69th Legislature of the State of Texas, 3rd Called Session, hereby establish a special interim committee to study the state's options regarding the purchase or self-generation of electricity for state-owned office buildings in Austin; and, be it further

RESOLVED, That the interim study committee be named the Task Force on State Electricity Purchase; and, be it further

RESOLVED, That the task force be composed of 12 members: three members of the senate and one citizen member, to be appointed by the lieutenant governor; three members of the house of representatives and one citizen member, to be appointed by the speaker of the house; two Austin city council members and one person knowledgeable in electric utility regulation, to be appointed by the mayor of Austin; and the chair of the State Purchasing and General Services Commission as an ex officio and voting member. No more than one appointee each of the lieutenant governor and speaker of the house shall reside in or represent legislative district constituents from Travis County. The lieutenant governor and speaker each shall designate a co-chair from among their respective appointees, and the task force shall hold meetings and public hearings at the joint call of the co-chairs; and, be it further

RESOLVED, That the task force have the power to issue process as provided in the senate and house rules of procedure and in Section 301.024, Government Code; and, be it further

RESOLVED, That the task force have all other powers and duties provided to special committees by the senate and house rules of procedure, by Subchapter B, Chapter 301, Government Code, and by policies of the committees on administration; and, be it further

RESOLVED, That task force expenses and those of the legislative presiding officers' appointees, when incurred in carrying out the provisions of this resolution, be paid in accordance with the senate and house rules of procedure and the policies of the committees on administration; and, be it further

RESOLVED, That expenses of the mayor's appointees and the ex officio member incurred in implementing the provisions of this resolution be paid by the city of Austin and the State Purchasing and General Services Commission, respectively; and, be it further

RESOLVED, That the task force may request staff and administrative assistance from the Legislative Budget Board, Texas Legislative Council, offices of the Texas Senate and House of Representatives, and city of Austin; and that the expenses for the assistance shall be borne by the assisting entity; and, be it further

RESOLVED, That the task force make a complete report, including findings and recommendations and drafts of any legislation considered necessary, to the 70th Legislature when it convenes in January 1987. Five copies of the completed report shall be filed in the Legislative Reference Library; five copies shall be filed with the Texas Legislative Council; two copies shall be filed with the secretary of the senate; and two copies shall be filed with the speaker of the house. Following official distribution of the task force report, all remaining copies shall be deposited with the legislative reference librarian.

The amendment was read and was adopted viva voce vote.

The resolution as amended was adopted viva voce vote.

HOUSE BILL 79 ON THIRD READING

Senator Jones moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 79 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 3.

Yeas: Anderson, Barrientos, Blake, Brooks, Caperton, Edwards, Farabee, Glasgow, Green, Jones, Kothmann, Krier, Leedom, Lyon, McFarland, Mauzy, Montford, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Whitmire.

Nays: Brown, Henderson, Washington.

Absent: Harris.

Absent-excused: Parker.

The bill was read third time.

Question — Shall the bill be finally passed?

(Senator Farabee in Chair)

MESSAGE FROM THE HOUSE

House Chamber
September 30, 1986

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

S.B. 52, Relating to the contingent expiration of **S.B. 40**, Acts of the 69th Legislature, 2nd Called Session, 1986, relating to certain State salary rates; and amending Section 5 of that Act.

S.B. 34, Relating to State payments to the Employees Retirement System of Texas and the Teacher Retirement System of Texas. (As amended)

S.B. 40, Relating to a requirement that the release of a prisoner on mandatory supervision be at the discretion of the Board of Pardons and Paroles. (As substituted and amended)

The House refused to concur in Senate amendments to **H.B. 82** and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

The House has concurred in Senate amendments to **H.B. 78** by a record vote of 139 ayes, 0 noes and 1 present not voting.

H.B. 83, Relating to a foreign trade zone in Calhoun County, Victoria County, or both.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

(Senator Sims in Chair)

CONFERENCE COMMITTEE ON HOUSE BILL 82

Senator Farabee called from the President's table for consideration at this time the request of the House for a Conference Committee to adjust the differences between the two Houses on **H.B. 82** and moved that the request be granted.

The motion prevailed.

The Presiding Officer asked if there were any motions to instruct the Conference Committee on **H.B. 82** before appointment.

Senator Edwards moved to instruct the Conference Committee to maintain the Senate version of Section 4 of **H.B. 82**.

There was objection.

The Presiding Officer announced the appointment of the following conferees on the part of the Senate on the bill: Senators Farabee, Chairman; Washington, Montford, Edwards, Blake.

HOUSE BILL ON FIRST READING

The following bill received from the House was read the first time and referred to the Committee indicated:

H.B. 83, To Committee on Intergovernmental Relations.

SENATE NOTIFIED

A Committee from the House of Representatives appeared at the Bar of the Senate and Representative Wilson for the Committee notified the Senate that the House had adjourned sine die.

(Senator Harris in Chair)

(President in Chair)

BILLS SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bills:

S.B. 29

S.B. 52

(Senator Harris in Chair)

(Pending final passage of **H.B. 79**, Senator Traeger occupied the Chair)

(Senator Parmer in Chair)

(President in Chair)

FINAL PASSAGE OF HOUSE BILL 79

The Senate resumed consideration of **H.B. 79** on its final passage.

Question — Shall the bill be finally passed?

On motion of Senator Jones, the bill was finally passed by the following vote: Yeas 25, Nays 5.

Yeas: Anderson, Barrientos, Blake, Brooks, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Jones, Kothmann, Krier, Lyon, McFarland, Montford, Parmer, Santiesteban, Sarpalius, Sims, Traeger, Truan, Uribe, Washington, Whitmire.

Nays: Brown, Henderson, Leedom, Mauzy, Sharp.

Absent-excused: Parker.

REPORT OF STANDING COMMITTEE

By unanimous consent, Senator Traeger submitted the following report for the Committee on Intergovernmental Relations:

H.B. 83

SENATE RULE 74a SUSPENDED

On motion of Senator Traeger and by unanimous consent, Senate Rule 74a was suspended as it relates to the House amendments to **S.B. 34**.

SENATE BILL 34 WITH HOUSE AMENDMENTS

Senator Traeger called **S.B. 34** from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Amendment No. 1 - Colbert

Amend S.B. 34 as follows:

(1) On page 1, line 10, insert the following between "Texas" and the period: "except the amounts required to be transferred by Section 4 of this Act".

(2) On page 1, line 23, insert the following between "1987" and the period: "except the amounts required to be transferred by Section 4 of this Act".

(3) On page 2, line 20, insert the following between "Texas" and the period: "except the amounts required to be transferred by Section 4 of this Act".

(4) On page 3, insert the following between lines 21 and 22:

"SECTION 4. PARTIAL PAYMENT OF CONTRIBUTIONS AND FEES.

(a) Instead of the amount required by Subsection (e), Section 25.403, Title 110B, Revised Statutes, the comptroller of public accounts shall transfer from the appropriate funds each month through January, 1987, to the trust fund for the Employees Retirement System of Texas as a partial payment of contributions and, if the legislature makes an appropriation for membership fees for the fiscal year ending August 31, 1987, as a partial payment of membership fees an amount equal to the amount transferred to the state retirement system reimbursement account for the Employees Retirement System of Texas for that month. The comptroller shall allocate the amount transferred under this subsection between the state accumulation account and the expense account in the proportion that the amount appropriated for each account for the fiscal year ending August 31, 1987, bears to the total of appropriations for contributions and membership fees to the retirement system for the period.

"(b) Instead of the amount required by Article 4364a, Revised Statutes, the comptroller of public accounts shall transfer from general revenue each month through January, 1987, to the state contribution account of the trust fund for the Teacher Retirement System of Texas as a partial payment of contributions an amount equal to the amount transferred to the state retirement system reimbursement account for the Teacher Retirement System of Texas for that month.

(5) Renumber current Section 4 and subsequent sections accordingly.

Amendment No. 2 - Colbert

Amend S.B. 34 as follows:

(1) Insert immediately before the effective date section a new section, appropriately numbered, to read as follows:

SECTION ____. **EARLY RESUMPTION OF PAYMENTS OF CONTRIBUTIONS AND MEMBERSHIP FEES.** (a) Notwithstanding any provision of this Act requiring deferral of payment of monthly contributions or membership fees until February, 1987, if **S.B. No. 5**, 69th Legislature, 3rd Called Session, 1986, is enacted and takes immediate effect, the comptroller and the state treasurer shall, before February, 1987, resume monthly payments of the contributions that are required by Subsection (e), Section 25.403, Title 110B, Revised Statutes, or Article 4364a, Revised Statutes, and that are payable from the General Revenue Fund, and begin monthly payments of membership fees to the Employees Retirement System of Texas that are payable from the General Revenue

Fund, if the state treasurer determines that money is or will be available for the payments and the payment of all other authorized obligations anticipated to be presented for payment from the General Revenue Fund for the fiscal year, including amounts transferred to the General Revenue Fund from the tax and revenue anticipation note fund.

(b) Payments described in Subsection (a) of this section are authorized expenditures from the General Revenue Fund within the meaning of Section 3.043, Treasury Act, as added by S.B. No. 5, 69th Legislature, 3rd Called Session, 1986, and the contributions may, notwithstanding the deferrals required by this Act, be considered estimated expenditures for the purpose of determining a general revenue cash flow shortfall forecast under that section.

(c) Payments made under this section shall be deducted from amounts otherwise required by this Act to be deferred and prorated before repayment.

(2) Renumber the effective date section and subsequent sections accordingly.

Amendment No. 3 - Colbert

Amend S.B. 34 as follows:

(1) Strike lines 23-26 on page 4 and lines 1-10 on page 5 and substitute the following:

SECTION 5. EFFECTIVE AND EXPIRATION DATES. (a) This Act takes effect on the first day that this Act legally may take effect as provided by Article III, Section 39, of the Texas Constitution.

(2) Reletter Subsection (c) of Section 5 as Subsection (b).

Amendment No. 4 - Denton

Amend S.B. 34 as follows:

In Section 1(a) in line 11, page 1, after "prorate" insert "in equal monthly amounts".

In Section 1(b) in line 23, page 1, after "prorate" insert "in equal monthly amounts".

In Section 2 in line 21, page 2, after "prorate" insert "in equal monthly amounts".

Amendment No. 5 - Denton

Amend S.B. 34 as follows:

In the second sentence of Section 3, line 6, page 3, delete "Each month in which payments are deferred as provided by this Act" and substitute "Each month in which any portion of payments deferred by this Act remains unpaid".

In Section 3, line 11, page 3, delete "deferred payments" and substitute "unpaid deferred amount".

At the end of Section 3, line 21, page 3, add the following:

"For the purposes of determining the amounts to be transferred under this Act, it shall be assumed that the deferred payments would have otherwise been made under Section 25.403(e), Title 110B, Revised Statutes or Article 4364a, Revised Statutes on the first business day of the month."

The amendments were read.

Senator Traeger moved to concur in the House amendments.

The motion prevailed by the following vote: Yeas 24, Nays 4.

Yeas: Anderson, Barrientos, Blake, Brooks, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Jones, Kothmann, Krier, Lyon, McFarland, Montford, Parmer, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Whitmire.

Nays: Brown, Henderson, Leedom, Mauzy.

Absent: Santiesteban, Washington.

Absent-excused: Parker.

SENATE RULE 74a SUSPENDED

On motion of Senator Lyon and by unanimous consent, Senate Rule 74a was suspended as it relates to the House amendments to S.B. 40.

SENATE BILL 40 WITH HOUSE AMENDMENTS

Senator Lyon called S.B. 40 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Amendment No. 1 - Melton

Substitute the following for S.B. 40:

A BILL TO BE ENTITLED AN ACT

relating to a requirement that certain prisoners not be released to mandatory supervision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 8(c), Article 42.18, Code of Criminal Procedure, as added by Section 2, Chapter 427, Acts of the 69th Legislature, Regular Session, 1985, is amended to read as follows:

(c) Except as otherwise provided by this subsection, a [A] prisoner who is not on parole, except a person under sentence of death, shall be released to mandatory supervision by order of the board when the calendar time he has served plus any accrued good conduct time equal the maximum term to which he was sentenced. If a prisoner is serving a sentence for an offense listed in Section 3g(a)(1) of Article 42.12 of this code, or if the judgment for the offense contains an affirmative finding under Section 3g(a)(2) of that article, the prisoner may not be released to mandatory supervision. A prisoner released to mandatory supervision shall, upon release, be deemed as if released on parole. To the extent practicable, arrangements for the prisoner's proper employment, maintenance, and care shall be made prior to his release to mandatory supervision. The period of mandatory supervision shall be for a period equivalent to the maximum term for which the prisoner was sentenced less calendar time actually served on the sentence. The time served on mandatory supervision is calculated as calendar time. Every prisoner while on mandatory supervision shall remain in the legal custody of the institution from which he was released but shall be amenable to the orders of the board.

SECTION 2. The change in law made by this Act applies to a person sentenced to the Texas Department of Corrections for an offense committed on or after the effective date of this Act. For purposes of this section an offense is committed before the effective date of this Act if any element of the offense is committed before the effective date of this Act.

SECTION 3. This Act takes effect September 1, 1987.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public

necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Amendment No. 2 - Melton

Amend C.S.S.B. 40 by striking Sections 2, 3, and 4 and substituting the following:

SECTION 2. Subsections (b) and (c), Section 2, Article 6184o, Revised Statutes, are amended to read as follows:

(b) If the inmate population of the department reaches and remains at 95 percent or more of capacity for 5 consecutive days or reaches 95 percent of capacity for 20 days in a 30-day period, the director shall immediately notify the governor in writing of that fact and credit 30 days of administrative good conduct time to any inmate who:

(1) is classified as a trusty or a Class I inmate by the department; and

(2) is not serving a sentence for an offense listed in Section 3g(a)(1) of Article 42.12, Code of Criminal Procedure, or whose judgment does not contain an affirmative finding under Section 3g(a)(2) of that article [~~Subdivision (1), Subsection (a), Section 3f, Article 42.12, Code of Criminal Procedure, 1965, or whose judgment does not contain an affirmative finding under Subdivision (2), Subsection (a), Section 3f of that article~~].

(c) No later than the 30th day after the day of receiving notice from the department that the inmate population of the department has reached and remained at 95 percent or more of capacity for a time period described by Subsection (b) of this section, the governor shall certify that an emergency overcrowding situation exists and shall notify the board of that fact if the governor determines that:

(1) the department's computation of capacity is correct;

(2) the department has taken all administrative actions consistent with applicable state statutes and rules adopted under those statutes to reduce the inmate population to less than 95 percent [~~or less~~] of capacity;

(3) those administrative actions are not adequate to reduce the inmate population to less than 95 percent [~~or less~~] of capacity; and

(4) no other means of reducing the inmate population to less than 95 percent [~~or less~~] of capacity are feasible.

SECTION 3. The change in law made by Section 1 of this Act applies to a person sentenced to the Texas Department of Corrections for an offense committed on or after the effective date of this Act. For purposes of this section an offense is committed before the effective date of this Act if any element of the offense is committed before the effective date of this Act.

SECTION 4. This Act takes effect immediately, except that Section 1 takes effect September 1, 1987.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force according to its terms, and it is so enacted.

The amendments were read.

Senator Lyon moved to concur in the House amendments.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent: Santiesteban, Washington.

Absent-excused: Parker.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 1 ADOPTED**

Senator Jones called from the President's table the Conference Committee Report on S.B. 1. (The Conference Committee Report having been filed with the Senate and read Thursday, September 25, 1986.)

On motion of Senator Jones, the Conference Committee Report was adopted by the following vote: Yeas 29, Nays 1.

Nays: Mauzy.

Absent-excused: Parker.

REASON FOR VOTE ON SENATE BILL 1

After careful consideration, I am voting in favor of S.B. 1, the General Appropriations Bill for 1987. I do this reluctantly. It is clear to me that I am faced with two options. Either I accept the amount of cuts in the compromise bill—and I certainly don't agree with a substantial number of them—or I do not accept them. If I vote against the bill and we end up referring it back to a conference committee, I am convinced that there will be even more cuts.

We are already facing the following:

- state employees losing their 3% pay raise
- 1900 state employees being laid off
- 31 DHS child support enforcement workers scheduled to be hired September 1st not being hired
- severe cuts in higher education:

\$9.74 million in cuts to UT in 1987 (6%) in addition to \$7.65 million in 1986 (4.5%)

\$1.76 million in cuts to ACC for 1986 and 1987

We cannot afford more cuts. We know the House called for 5800 layoffs for state employees. If we send this bill back to conference committee, we also risk an additional 3% rollback in wages for state employees.

This bill is a bitter pill to swallow, but if we do not adopt it, we could end up a whole lot worse.

BARRIENTOS

HOUSE BILL 83 ON SECOND READING

On motion of Senator Sharp and by unanimous consent, the regular order of business and the printing rule were suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 83, Relating to a foreign trade zone in Calhoun County, Victoria County, or both.

The bill was read second time and was passed to third reading viva voce vote.

HOUSE BILL 83 ON THIRD READING

Senator Sharp moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 83** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 2.

Yeas: Anderson, Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Henderson, Jones, Kothmann, Krier, Leedom, McFarland, Mauzy, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Whitmire.

Nays: Lyon, Montford.

Absent: Washington.

Absent-excused: Parker.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent: Washington.

Absent-excused: Parker.

RECESS

On motion of Senator Brooks, the Senate at 6:48 o'clock p.m. took recess until 7:00 o'clock p.m. today.

AFTER RECESS

The Senate met at 7:00 o'clock p.m. and was called to order by the President.

SENATE RESOLUTION 93 (Caucus Report)

Senator Brooks offered the following resolution:

Honorable William P. Hobby
President of the Senate
Austin, Texas

Sir:

At a caucus held on September 30, 1986 and attended by 27 Members of the Senate, the following recommendations were made, to wit:

BE IT RESOLVED by the Senate, That:

The Lieutenant Governor may employ such employees as are necessary for the operation of his office from the closing of this session and until the convening of the next session, and in addition thereto, he and the Secretary of the Senate shall be furnished postage, telegraph, telephone, express, and all other expenses incident to their respective offices.

The Secretary of the Senate shall be retained during the interval between adjournment of this session and the convening of the next session of the Legislature. The Secretary of the Senate may employ such employees as are necessary for the operation of her office and to perform duties as may be required in connection with the business of the state from the closing of this session and until the convening of the next session. All employees and elected officers of the Senate shall operate under the direct supervision of the Secretary of the Senate during the interim.

The Administration Chairman is authorized to retain a sufficient number of staff employees to conclude the work of the Enrolling Clerk, Calendar Clerk, Journal Clerk, and Sergeant-at-Arms. The Committee on Administration shall establish the salaries to be paid the Senate staff.

The Chairman of the Senate Committee on Administration is hereby authorized and directed to cause the Senate Chamber to be placed in order and to purchase such supplies and to make all such repairs and improvement as are

necessary between the adjournment of this session and the convening of the next session of the Legislature and make an inventory of all furniture and fixtures in the Senate Chamber and in the private offices of the Members; as well as of the supplies and equipment on hand in the Purchasing and Supply Department and close his books for the 3rd Called Session of the 69th Legislature. No equipment shall be acquired on a rental/purchase plan unless such equipment be placed on the Senate inventory at the termination of such plan. He shall also examine records and accounts payable out of the Contingent Expense Fund as shall be necessary properly to approve all claims and accounts against the Senate, and no claim or account shall be paid without his consent and approval, and he and any member of the Administration Committee shall be entitled to receive his actual and necessary expenses incurred during the interim; and, be it further

RESOLVED, That there shall be printed 325 volumes of the Senate Journal of the 3rd Called Session of the 69th Legislature; when complete 250 copies shall be bound in buckram and delivered to the Secretary of the Senate; one volume thus bound shall be forwarded by the Secretary of the Senate to each Member of the Senate, the Lieutenant Governor, and to each Member of the House of Representatives on request. The printing of such journals shall be done in accordance with the provisions of this Resolution under the supervision of the Chairman of the Committee on Administration; provided, further, that it shall be the duty of said chairman to refuse to receive or receipt for said Senate Journals until corrected and published in accordance with the preexisting law as finally approved by the Chairman of the Committee on Administration of the Senate. When the accounts have been certified by the Chairman of the Committee on Administration of the Senate, said accounts shall be paid out of the Contingent Expense Fund of the 69th Legislature; and, be it further

RESOLVED, That all salaries and expenses herein authorized to be incurred and paid for shall be paid out of the per diem and Contingent Expense Fund of the 69th Legislature as follows: The Senate shall request the State Comptroller of Public Accounts to issue general revenue warrants for payment of the employees of the Lieutenant Governor's office, the Lieutenant Governor, Members of the Senate, employees of the Senate committees, and employees of the Senate, except as provided in Section 20 of the Legislative Reorganization Act (Article 5429f, Vernon's Texas Civil Statutes), upon presentation of the payroll account signed by the Chairman of the Administration Committee and the Secretary of the Senate; and for the payment of materials, supplies, and expenses of the Senate, including travel expenses for Members and employees, upon vouchers signed by the Chairman of the Senate Committee on Administration and the Secretary of the Senate; and, be it further

RESOLVED, That in furtherance of the legislative duties and responsibilities of the Senate, the Administration Committee is hereby authorized and directed to charge to the individual Member's office budget as hereinafter authorized: (1) reimbursement of all actual expenses incurred by the Members when traveling in performance of such duties and responsibilities or incident thereto, and (2) payment of all other reasonable and necessary expenses for the operation of the office of the individual Senator during any period the Legislature is not in session. Expenditures for these services by the Administration Committee as hereby authorized as an expense of the Senate shall not be restricted to Austin but may be incurred in individual senatorial districts. Such expenses shall be paid from funds appropriated for the use of the Senate on vouchers approved by the Chairman of the Administration Committee and the Secretary of the Senate in accordance with regulations governing such expenditures; and, be it further

RESOLVED, That for the time period from the end of the 69th Legislature 3rd Called Session, until the convening of the next regular or special session, each

Senator shall be permitted to employ secretarial and other office staff and for intrastate travel expenses for staff employees a maximum payroll of \$13,500.00 per month under the classification schedule hereinafter provided. Any unexpended portion of this amount may be carried forward from month to month until the convening of the 70th Legislature at which time the balance lapses. Other expenses, including travel expenses or other reasonable and necessary expenses incurred in the furtherance and performance of legislative duties or in operation of his office or incident thereto, shall be provided in addition to the maximum salary authorized.

In order to accrue vacation leave, compensatory/overtime leave, or sick leave, employees of Members must file monthly time sheets with the Senate Personnel Office by the 10th of the month following the month in which work was performed. Employees of Members and committees must use overtime accrued in a given month by the end of the same month of the following year. Overtime accrued prior to January 1, 1986, will not be carried forward after January 1, 1987. No overtime will be paid at either the end of the fiscal year or at an employee's termination; and, be it further

RESOLVED, That the Lieutenant Governor shall have the authority to appoint any Member of the Senate, the Secretary of the Senate, or other Senate employee to attend meetings of the National Conference of State Legislatures and other similar meetings. Necessary and actual expenses are hereby authorized upon the approval of the Chairman of the Administration Committee and the Secretary of the Senate; and, be it further

RESOLVED, That each of the standing committees and subcommittees of the Senate of the 69th Legislature be authorized to continue to meet at such times and places during the interim as determined by such committees and subcommittees and to hold hearings, recommend legislation, and perform research on matters directed either by Resolution, the Lieutenant Governor, or as determined by majority vote of each committee. Each continuing committee and subcommittee shall continue to function under the rules adopted during the legislative session where applicable. Expenses for the operation of these committees and subcommittees are hereby authorized to be paid pursuant to a budget prepared by each committee and approved by the Administration Committee; and, be it further

RESOLVED, That there is hereby created a committee whose membership shall consist of all 31 Senators, and the Dean of the Senate shall preside as chairman. The chairman may appoint a vice-chairman or chairman pro tempore to preside in the absence of the chairman.

The committee has the duty and authority to supervise all matters relating to the elected officers or internal affairs of the Senate. The committee has the power to do all things reasonable and necessary in carrying out its responsibilities, including but not limited to the discharge of elected officers, filling vacancies in any elected office, determining salaries of elected officers, and prescribing the powers, functions, responsibilities, and duties of the several elected officers of the Senate. The committee shall meet at the call of the chairman or a date specified in a written request of 11 Members or as may be determined by the committee after its initial meeting. Twenty-one Members shall constitute a quorum and a majority of the quorum may take action.

The operating expenses of this committee shall be paid from the Contingent Expense Fund of the Senate, and the committee members shall be reimbursed for their actual expenses incurred in carrying out the duties of the committee.

Any Members not returning for the 70th Legislature will vacate their Senate offices by December 15, 1986; and, be it further

RESOLVED, That no employee of the Senate shall during the time he or she is employed furnish to any person, firm, or corporation any information other than general information furnished the public pertaining to the Senate, and they shall not

without permission receive any compensation from any person, firm, or corporation during their employment by the Senate, and any employee found guilty of violating this provision shall be immediately discharged; and, be it further

RESOLVED, That the Secretary of the Senate is specifically directed not to permit the removal of any of the property of the Senate from the Senate Chamber or the rooms of the Senate except as authorized by the Chairman of the Administration Committee.

Respectfully submitted,

/s/BROOKS

Chairman of the Caucus

/s/MAUZY

Secretary of the Caucus

The resolution was read and was adopted viva voce vote.

**ELECTION OF PRESIDENT PRO TEMPORE AD INTERIM
FOR THE REGULAR SESSION OF THE SIXTY-NINTH
LEGISLATURE**

The President announced the election of the President Pro Tempore as the next order of business.

Senator Brooks nominated Senator Carlos Truan of Corpus Christi as President Pro Tempore Ad Interim for the Regular Session of the Sixty-Ninth Legislature.

Senator Truan was elected by acclamation.

GUEST PRESENTED

The Doorkeeper announced that Speaker Gib Lewis was at the Door of the Senate.

The Speaker was admitted and escorted to the President's Rostrum by Senators Jones, Caperton, McFarland and Traeger.

Speaker Lewis addressed the Senate, expressing his appreciation for the courtesy and cooperation shown to him and the Members of the House of Representatives during the 3rd Called Session.

OATH OF OFFICE ADMINISTERED

The President administered the Oath of Office to President Pro Tempore Ad Interim Carlos Truan.

Senator Truan expressed his appreciation to the Senate for the honor of serving as President Pro Tempore of the Senate.

SENATE RESOLUTION 90

Senator Glasgow offered the following resolution:

WHEREAS, During this year's Sesquicentennial celebration it is indeed fitting and appropriate that the Texas Senate pause to honor the memory of our Texas heroes who shaped our destiny and forged the State of Texas; and

WHEREAS, Whether men of high principle, rogues, or vagabonds, they courageously rose to the occasion and became people whose visions and dreams would come to fruition with the establishment of the Republic of Texas; and

WHEREAS, Daring, bold, and romantic, their names, Stephen F. Austin, Jim Bowie, Sam Houston, Davy Crockett, Lorenzo de Zavala, Jose Francisco Ruiz, Juan N. Seguin, Jose Antonio Navarro, Placido Benavides and William B. Travis, trip off our tongues today as legends; and

WHEREAS, Facing seemingly insurmountable obstacles and armed at times only by their valor and determination, these Texas heroes captured the imagination of the entire civilized world; and

WHEREAS, Infused with the ideals of liberty and justice, they answered the siren song of freedom with the opening volley at the Battle of Gonzales; aptly named the Lexington of Texas, the battle galvanized hope and action throughout Texas; and

WHEREAS, Strengthened by the clarion call of "Freemen of Texas, To Arms, To Arms, Now's the Day, Now's the Hour," freedom lovers across the United States came to respond in Texas's hour of need; and

WHEREAS, The siege of the Alamo and the valiant defenders of the Cradle of Texas Liberty continue to evoke the tremulous emotions and deep pride of all Texans; and

WHEREAS, Without the courage of Colonel Fannin and his 330 stalwart followers amidst the savage butchery at Goliad on March 27, 1836, liberty and statehood would have remained chimerical dreams; and

WHEREAS, Aroused by the cries of "Remember the Alamo," "Remember Goliad," the fellow freedom lovers of these slaughtered martyrs insured the fateful victory for future generations at the Battle of San Jacinto on April 21, 1836; and

WHEREAS, In our 150th year of cherished liberty, Texans should reflect upon the awesome accomplishments of these simple yet magnificent men; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 69th Legislature, 3rd Called Session, hereby recognize the self-sacrifice and courage of these early Texas heroes; and, be it further

RESOLVED, That a copy of this Resolution bearing the names of those known to have died for Texas independence be spread upon the pages of the Senate Journal in permanent and lasting homage to their memory:

Battle of Concepcion - October 28, 1835

Andrews, Richard

Goliad - October 29, 1835

Collinsworth, David H.

Siege of Bexar - December 5, 1835

Alexander, George

Cook, John

Harvey, Francis

Milam, Benjamin R.

Battle of San Patricio - February 27, 1836

Coney, Henry

Dale, Benjamin

Bunsen, Dr. Gustav

Hort, Dr. William M. W.

Pearson, Thomas K.

Williams, William

Plus seven unidentified Tejanos, all residents of San Antonio de Bexar. Two were killed on the field of battle. Five others were sent to Matamoros as prisoners where it is assumed they were executed.

Battle of Agua Dulce - March 2, 1836

Cass, James M.

Carpenter, Joseph

Denison, Stephen

Grant, Dr. James

Heartt, Dr. Charles P.

Howard, J. T.

Johnson, Joseph Smith

Lewellen, Thomas

Marshall, Horace Ovid

McLanglin, John C.

Morris, Robert C.

Wentworth, J. W.

Two Tejanos, residents of San Antonio de Bexar, were sent to Matamoros as prisoners where it is assumed they were executed. The names and number of Tejanos killed on the field of battle are not known.

Battle of the Alamo - February 23-March 6, 1836

Abamillo, Juan	Crossman, Robert	Harrison, Andrew
Allen, R.	Cummings, David P.	Jackson
Andross, Miles	Cunningham, Robert	Harrison, William B.
DeForest	Darst, Jacob C.	Hawkins, Joseph M.
Autry, Micajah	Day, Freeman H. K.	Hays, John M.
Badillo, Juan A.	Day, Jerry C.	Heiskell, Charles M.
Bailey, Peter James	Daymon, Squire	Hendricks, Thomas
Baker, Isaac G.	Dearduff, William	Herndon, Patrick Henry
Baker, William	Denison, Stephen	Hersee, William D.
Charles M.	Despallier, Charles	Holland, Tapley
Ballentine, John J.	Dickinson, Almeron	Holloway, Samuel
Ballentine, Richard W.	Dillard, John H.	Howell, William D.
Baugh, John J.	Dimpkins, James R.	Jackson, William
Bayliss, Joseph	Duel, Lewis	Daniel
Blair, John	Duvalt, Andrew	Jackson, Thomas
Blair, Samuel B.	Espalier, Carlos	Jameson, Green B.
Blazeby, William	Esparza, Gregorio	Jennings, Gordon C.
Bonham, James Butler	Evans, Robert	Johnson, Lewis
Bourne, Daniel	Evans, Samuel B.	Johnson, William
Bowie, James	Ewing, James L.	Jones, John
Bowman, Jesse B.	Fishbaugh, William	Kellog, Johnnie
Brown, James	Flanders, John	Kenny, James
Brown, Robert	Floyd, Dolphin Ward	Kent, Andrew
Buchanan, James	Forsyth, John Hubbard	Kerr, Joseph
Burns, Samuel E.	Fuentes, Antonio	Kimball, George C.
Butler, George D.	Fuqua, Galba	King, William P.
Campbell, Robert	Furtleroy, William H.	Lewis, William Irvine
Cane, John	Garnett, William	Lightfoot, William J.
Carey, William R.	Garrand, James W.	Lindley, Jonathan L.
Clark, Charles Henry	Garrett, James Girard	Linn, William
Clark, M. B.	Garvin, John E.	Main, George
Cloud, Daniel William	Gaston, John E.	Washington
Cochran, Robert E.	George, James	Malone, William T.
Cottle, George	Goodrich, John Camp	Marshall, William
Washington	Grimes, Albert Calvin	Martin, Albert
Courtman, Henry	Gwynne, James C.	McCafferty, Edward
Crawford, Lemuel	Hannum, James	McCoy, Jesse
Crockett, David	Harris, John	McDowell, William
McGregor, John	Reynolds, John Purdy	Taylor, William
McKinney, Robert	Roberts, Thomas H.	Thomas, B. Archer M.
Melton, Eiel	Robinson, Isaac	Thomas, Henry
Miller, Thomas R.	Rose, James M.	Thomson, John W.
Mills, William	Rusk, Jackson J.	Thurston, John M.
Millsaps, Isaac	Rutherford, Joseph	Trammel, Burke
Mitchusson, Edward F.	Ryan, Isaac	Travis, William
Mitchell, Edwin T.	Scurlock, Mial	Barret
Mitchell, Napoleon B.	Sewell, Marcus L.	Tumlinson, George W.
Moore, Robert B.	Shied, Manson	Walker, Asa
Moore, Willis	Simmons, Cleland	Walker, Jacob
Musselman, Robert	Kinloch	Ward, William B.
Nava, Andres	Smith, Andrew H.	Warnell, Henry
Neggan, George	Smith, Charles S.	Washington, Joseph G.
Nelson, Andrew M.	Smith, Joshua G.	Waters, Thomas
Nelson, Edward	Smith, William H.	Wells, William
Nelson, George	Starr, Richard	White, Isaac
Northcross, James	Stewart, James E.	White, Robert
Nowlin, James	Stockton, Richard L.	Williamson, Hiram J.
Pagan, George	Summerlin, A. Spain	Wilson, David L.
Parker, Christopher	Summers, William E.	Wilson, John
Parks, William	Sutherland, William D.	Wolfe, Antony
Perry, Richardson	Taylor, Edward	Wright, Claiborne
Pollard, Amos	Taylor, George	Zanco, Charles
	Taylor, James	John, a black slave

Battle of Refugio - March 14-16, 1836

Anderson, Samuel
Armstrong, William S.
Brady, Leslie G. H.
Callison, James Henry
Colgrove, John H.
Cook, Thomas
Davids, Fields
Davids, Jackson
Eadock, Henry H.
Gibbs, Lewis C.
Henley, James

Heth, Joel F.
Humphries, Jesse C.
Johnson, William R.
King, Amon Butler
Kirk, Harvey H.
Ledbetter, Sneed
Murphy, James B.
Murphy, James
Penny, George W.
Ray, Anderson
Rodgers, John B.
Sayle, Antoine

Shelton, William
Simpson, William K.
Smith, Gavin H.
Smith, Oliver
Stewart, John C.
Toler, Robert A.
Wallace, William
Ward, John
Weeks, Thomas G.
Winters, Christopher
Wood, Samuel

Coleta Creek - March 19, 1836

Dorsey, Alfred
Eigenauer, Conrad
Jackson, John

Kelly, John
Mann, William H.
McKnight, George
Petrusewicz, H. Francis

Quinn, William
Savage, William F.
Swords, Archibald

Victoria - March 21, 1836

Brooks, Daniel B.
Conner, Stith
Quirk, Thomas
Wilson, Joseph L.

Battle of Goliad - March 27, 1836

Abercrombie, Wiley A.
Adams, James Moss
Aldridge, Isaac
Aldridge, John
Allen, Peter, a freeman
Allen, Layton
Allison, Alfred
Allston, William L.
Ames, Allison
Anderson, Patrick H.
Bagby, James S.
Baker, Augustus
Baker, Stephen
Barkley, John H.
Barnhill, John N.
Barton, Thomas B.
Bates, Anthony
Batts, James S.
Beall, Josias B.
Beck, John F.
Bell, Marvin
Bellows, Fred J.
Bentley, Henry Hogue
Blackwell, Joseph H.
Blake, Thomas M.

Carlisle, George
Washington
Carrer, Charles J.
Carroll, Michael E.
Caruthers, Ewing
Cash, George W.
Chadwick, Joseph M.
Chew, John
Chisum, Enoch P.
Gains
Churchill, Thomas T.
Clark, Joseph H.
Clark, Seth
Coe, John G.
Coglan, George W.
Cole, William H.
Coleman, Jacob
Colston, William John
Comstock, William
Conrad, Cullen
Conway, Matthew
Cosby, Thomas H.
Cowan, William J.
Cox, Harvey
Cozart, Henderson

Dickinson, Noah, Jr.
Dickson, Abijah Hogan
Dickson, Henry H.
Disney, Richard
Donoho, John
Douglas, William G.
Douglas, Henry L.
Downman, Henry M.
Dubose, William P. B.
Duffield, J. E.
Duncan, James W.
Dusanque, Francis J.
Duval, Burr H.
Dyer, George
Eddy, Andrew H.
Edwards, Samuel M.
Eels, Otis G.
Ellis, James E.
Ellis, Michael
Ely, John
English, Robert
Escott,
Eubanks, George
Fadden, John
Fannin, James Walker

Bouch, Gabriel
 Bracey, Leslie G. H.
 Bradford, James A.
 Brashear, Richard G.
 Brister, Nathaniel R.
 Brooks, John Sowers
 Brown, J. S.
 Brown, Oliver
 Brown, William S.
 Bryson, John M.
 Buckley, Daniel
 Burbidge, Thomas
 Burt, Benjamin F.
 Butler, Moses
 Bynum, Alfred
 Byrne, Matthew
 Cain, J. W.
 Carabajal, Mariano
 Fuller, Edward
 Gallagher, Dominic
 Gamble, David
 Garner, Edward
 Garner, M. C.
 Gates, Lucius W.
 Gatlin, William James
 Gibbs, John
 Gibbs, Lewis C.
 Giebenrath, Imanuel
 Frederic
 Gilbert, William
 Gilikson, Francis
 Gilland, George M.
 Gimble, John
 Gleeson, John
 Gould,
 Grace, John C.
 Graves, Hansome O.
 Gray, Francis H.
 Green, George
 Green, William T.
 Grimes, James H.
 Grinolds, E. J. D.
 Gunter, William
 Hamilton, James A.
 Hand, John J.
 Hardwick, Charles S.
 Harper, William
 Harris, Jesse
 Harris, William
 Harrison, Erasmus D.
 Haskell, Charles
 Ready
 Hastic, Henry
 Hatfield, William R.

Cross, John
 Cumming, George W.
 Cunningham, John D.
 Curtman, George F.
 Daniell, George
 Washington
 Dasher, Thomas
 Jefferson
 Davidson, Robert T.
 Davis, George A.
 Daws, Walter W.
 Day, H. B.
 Debicki, Napoleon
 Dedrick, George
 Dennis, Joseph
 DeSpain, Randolph
 Devereaux, Michael
 Dickerman, William P.
 Jackson, John N.
 James,
 James, John
 Jennings, Charles B.
 Jones, Henry W.
 Johnson, David
 Johnson, Edward J.
 Johnston, William P.
 Kelly, James
 Kelly, John
 Kemp, James P.
 King, Montgomery B.
 Kinney, Allen O.
 Kissam, P. T.
 Kornicky, John
 Lamond, Adams G.
 Lantz, Charles
 Lee, Green
 Leverett, Oscar F.
 Linley, Charles
 Logan, John C.
 Loverly, Alexander J.
 Loving, Joseph S.
 Lynch, A. M.
 Lynde, A. H.
 Mahoney, Dennis
 Martin, Henry
 Mattern, Peter
 Mays, Samuel A. J.
 McCoy, James
 McDonald, James A.
 McGloin, John
 McGowan, Dennis
 McGowen, John
 McKenzie, Kenneth
 McKinley, Charles

Farney, Samuel
 Fenner, Robert
 Ferguson, Joseph G.
 Foley, Arthur G.
 Fine, Charles
 Fisher, John H.
 Fitzsimmons, Edward
 Foster, J. A.
 Fowler, Bradford
 Franklin, Elijah B.
 Fraser, Hugh McDonald
 Frazer, Charles
 Frazer, William
 Warren
 Frazier, Micajah G.
 Freeman, Thomas S.
 Frizzell, Terrell R.
 Frost, Hezekiah
 Moody, Edward
 Moore, David
 Moore, John H.
 Moore, John O.
 Morgan, John F.
 Moses, David
 Munson, Charles Rufus
 Murdock, David A.
 Neven, Patrick
 Nobles, Watkins
 Nolan, James
 Numlin, John
 Oliver, John M.
 O'Neal, Zeno R.
 Osborn, Patrick
 Owings, Robert Smith
 Pace, Robert A.
 Paine, George W.
 Parker, John K.
 Parker, William S.
 Parvin, William
 Patton, Charles
 Penny, George W.
 Perkins, Austin
 Perkins, D. A. J.
 Petrussewicz, A.
 Adolph
 Pettus, Samuel Overton
 Petty, Rufus R.
 Phillips, Charles
 Pierce, Stephen
 Pittman, James F.
 Pittman, Samuel C.
 Powell, Lewis
 Powers, John M.
 Preusch, William G.

Hawkins, Norborne B.	McLennan, Alexander	Rainey, Robert R.
Heath, Ebenezer Smith	McManomy, J. B.	Reed, James
Helms, Wilson	McMurray, William	Rees, Thomas B.
Hemphill, William	McSherry, James	Reese, Perry
Heyser, John	Merrifield, William	Reeves, Thomas
Hill, Stuart	Jefferson	Richards, John
Hitchard, John	Miller, Isaac H.	Riddell, Samuel
Hodge, Nathan	Miller, James M.	Riddle, Joseph P.
Hufty, Edward H.	Mills, Seaborn A.	Ripley, Henry D.
Hughes, Wesley	Milne, Charles C.	Roberts, Thomas H.
Hughes, Wiley	Miner, Drury Hugh	Rooney, Cornelius
Humphries, Jesse C.	Mitchell, Warren	Rose, Gideon
Hunt, Francis M.	Jordan	Rowe, Samuel
Hunter, William	Mitchell, Washington	Rumley, Thomas
Hurst, Stephen Decatur	Mixon, Claiborne D.	Ryan, Edward
Jack, James C.	Moat, John	Sanders, Samuel Smith
Sanders, Wade H.	Taliaferro, Benjamin W.	West, James
Sargent, Charles	Tatom, Joseph R.	Weston, Thomas
Saunders, James H.	Tatom, Memory B.	Westover, Ira J.
Schultz, Henry Lewis	Taylor, Kneeland	Wheeler, Orlando
Scott, R. J.	Thayer, George J. W.	Wilder, James S.
Sealy, John	Thomas, Evans B.	Wilkey, Henry
Seaton, J. M.	Thorn, John Stephen	Williams, Abner B.
Sevenmen, Frederick	Ticknor, Isaac	Williams, James
Seward, John	Tilson, Lewis	Williams, Napoleon B.
Shackelford,	Turbeville, Wilkins S.	Wilson, Robert W.
Fortunatus S.	Tyler, John	Wilson, Samuel
Shackelford,	Vaughan, James	Wingate, Edward
William J.	Vaughan, William E.	Winn, James C.
Short, Zachariah H.	Vigal, George Marion	Winningham, Williams S.
Simmons, S.	Volckman, Frederick J.	Winship, Stephen
Simpson, Lawson S.	Wadsworth, William	Winter, Andrew
Slatter, Randolph	A. O.	Witt, Hughes
Smith, James	Waggoner, William	Wood, Henry H.
Smith, Sidney	Wallace, A. J.	Wood, John
Smith, William A.	Wallace, Benjamin C.	Wood, William P.
Spencer, Henry	Wallace, Samuel F.	Wren, Allen
Sprague, Samuel	Ward, William	Wright, Isaac Newton
Stephens, William	Waters, Nicholas B.	Yeamans, Elias Robert
Stevens, Abraham	Watson, Joseph W.	Yeamans, Erastus
Stewart, Charles B.	Weaver, Alman	Young, Harrison
Stovall, Joseph A.	Webb, James	Young, James O.
Strunk, Bennett		Youngblood, Solomon

Battle of San Jacinto - April 21, 1836

Bingham, Benjamin Rice	Fowle, Thomas Patton	Mottley, Dr. William
Blakey, Lemuel Stockton	Hale, John C.	Junius
Cooper, Mathias	Lamb, George A.	Stephens, Ashley R.
		Trask, Olwyn J.

The identity and number of Texans who participated, sacrificed and laid down their lives during the Texas Revolution remains unknown. They are among the many

Unknown Soldiers and MIA's who should not be forgotten or overlooked as we commemorate the sacrifices of those whose identity is known.

GLASGOW
TRUAN
WASHINGTON

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Glasgow and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

MOTION TO ADJOURN SINE DIE

Senator Brooks moved that the Senate at 7:25 o'clock p.m. adjourn sine die pending completion of administrative duties of the staff and the President.

BILLS AND RESOLUTION SIGNED

The President at 7:40 o'clock p.m. announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bills and resolution:

S.C.R. 9	S.B. 34
S.B. 1	S.B. 40
S.B. 6	S.B. 5 (Signed subject to Art. III, Sec. 49a of the Constitution)

RECESS

The President at 7:42 o'clock p.m. announced the Senate would recess pending receipt of enrolled bills from the House of Representatives.

AFTER RECESS

The Senate met at 7:53 o'clock p.m. and was called to order by the President.

BILLS AND RESOLUTIONS SIGNED

The President at 7:53 o'clock p.m. announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bills and resolutions:

H.B. 3	H.B. 79
H.B. 38	H.B. 81
H.B. 41	H.B. 83
H.B. 43	H.C.R. 2
H.B. 46	H.C.R. 14
H.B. 63	H.C.R. 31
H.B. 67	H.C.R. 33
H.B. 78	

MEMORIAL RESOLUTION

S.R. 88 - By Harris: Memorial resolution for Sterling G. "Bud" Callier.

CONGRATULATORY RESOLUTIONS

S.R. 80 - By Blake: Declaring October 10, 1986, as Republic of China Day.

S.R. 87 - By Sharp: Commending Ralph Roming, Commissioner of the Texas Water Commission.

S.R. 91 - By Brooks: Extending congratulations to Bernard Davis on his retirement.

S.R. 92 - By Jones, Sims: Extending congratulations to the citizens of Concho County on the 100th anniversary of the Concho County Courthouse.

ADJOURNMENT SINE DIE

The President announced that the hour for final adjournment of the Third Called Session of the 69th Legislature had arrived.

Senator Krier at 7:56 o'clock p.m. moved that the Senate stand adjourned sine die.

The motion prevailed and the President declared the Third Called Session of the 69th Legislature adjourned sine die in loving memory of the courageous early Texans and in loving respect for retiring Senators Mauzy, Traeger, Howard, Sharp and Kothmann.

APPENDIX

Sent to Governor
(September 30, 1986)

S.B. 4
S.B. 9
S.B. 29
S.B. 34
S.B. 40
S.B. 43
S.B. 52
S.C.R. 17

(October 1, 1986)

S.B. 6
S.C.R. 9

(October 2, 1986)

S.B. 1
S.B. 5

Sent to Comptroller
(October 1, 1986)

S.B. 1
S.B. 5

Filed Without Signature of Governor
(September 30, 1986)

H.B. 22 (Effective immediately)
H.B. 23 (Effective immediately)
H.B. 32 (Effective immediately)
H.B. 28 (Effective immediately)
S.C.R. 7 (Effective immediately)

(October 17, 1986)

S.C.R. 9
H.C.R. 6

H.C.R. 8

H.C.R. 9

H.C.R. 14

Signed by Governor
(September 24, 1986)

S.B. 3 (Effective immediately)

S.B. 8 (Effective immediately)

(September 30, 1986)

S.B. 34 (Effective immediately)

S.B. 40 (Effective immediately with
exception of Sec. 7)

S.B. 52 (Effective immediately)

H.B. 79 (Effective dates according to bill)

S.C.R. 14 (Effective immediately)

S.C.R. 18 (Effective immediately)

H.C.R. 7

H.C.R. 15

(October 2, 1986)

S.B. 23 (Effective immediately)

H.B. 63 (Effective immediately)

(October 5, 1986)

S.B. 1 (Effective immediately)

October 17, 1986)

H.B. 3 (Effective December 30, 1986)

H.B. 5 (Effective immediately)

H.B. 38 (Effective immediately)

H.B. 41 (Effective December 30, 1986)

H.B. 43 (Effective December 30, 1986)

H.B. 46 (Effective immediately)

H.B. 67 (Effective immediately)

H.B. 78 (Effective immediately)

H.B. 81 (Effective immediately)

H.B. 83 (Effective December 30, 1986)

H.C.R. 2 (Effective immediately)

H.C.R. 19 (Effective immediately)

H.C.R. 20 (Effective immediately)

H.C.R. 21 (Effective immediately)

H.C.R. 22 (Effective immediately)

H.C.R. 23 (Effective immediately)

H.C.R. 26 (Effective immediately)

H.C.R. 27 (Effective immediately)

H.C.R. 29 (Effective immediately)

H.C.R. 30 (Effective immediately)

H.C.R. 31 (Effective immediately)

H.C.R. 33 (Effective immediately)

S.B. 4 (Effective September 1, 1987)

S.B. 5 (Effective immediately)

S.B. 6 (Effective December 30, 1986)

S.B. 9 (Effective December 30, 1986)

S.B. 13 (Effective December 30, 1986)
S.B. 29 (Effective immediately)
S.B. 32 (Effective December 30, 1986)
S.B. 43 (Effective December 30, 1986)
S.B. 44 (Effective January 1, 1987)
S.C.R. 4 (Effective immediately)
S.C.R. 17 (Effective immediately)
S.C.R. 19 (Effective immediately)

(October 20, 1986)

H.B. 59 (Effective immediately)

Vetoed by Governor
(October 20, 1986)

H.C.R. 3